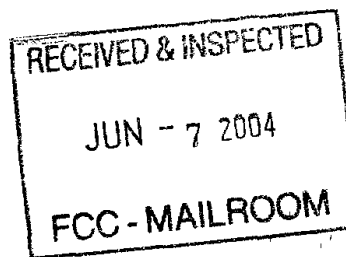


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CC: 96-45

3 June 2004

Mr. Tom Buckley
Federal Communications Commission
445 12th Street SW
Room 6-C222
Washington, DC 20554

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JUN - 8 2004

Federal Communications Commission
Office of the Secretary

Re: SEI Data, Inc.
CC Docket No. 96-45
Petition for Waiver of Filing Deadlines in 47 C.F.R 54.802(a)

Dear Ms Dortch:

At the request of Commission staff, I am providing more specific details regarding the waiver request referenced above, originally filed by SEI Data, Inc. in March 2004.

As indicated in the original petition, SEI Data became an ETC for the first time in September 2003. SEI also submitted its first line count for IAS high cost support, its USF use certification, and other necessary paperwork to USAC prior to the September 30, 2003 deadline.

SEI Data's original IAS filing was prepared by Joe Schuele of Martin Group, a consultant that assisted SEI Data with its ETC application and the IAS filing process. Mr. Schuele was working closely with Darin Kroger, who at the time was the general manager of SEI Data. Prior to the December 2003 deadline for the next quarterly IAS filing, Mr. Schuele contacted Mr. Kroger by e-mail with a reminder that the next quarterly line count filing was upcoming, and should be updated and submitted to USAC. But Mr. Schuele was not aware that Mr. Kroger had left SEI Data prior to this communication being sent, or that the communication was not received. Only later did Mr. Schuele and our current staff at SEI Data become aware that the December filing had not been submitted on time (when USAC's 2nd Quarter 2004 projections were posted, indicating that no line count had been filed). As soon as we became aware of this fact, a late filing was immediately submitted to USAC, and the petition for waiver was prepared and submitted.

Also in late 2003, Mr. Schuele and the SEI Data staff worked to resolve a problem with SEI Data's Form 498, which was holding up payment of SEI Data's 4th Quarter IAS support. While this problem was eventually resolved, we still were not aware at the time that SEI Data's December IAS line count deadline filing had been missed, due to the departure of Mr. Kroger from the company and the missed communication between Mr. Kroger and Mr. Schuele.

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The parties involved in this filing apologize for the missed filing deadline, and we realize the importance of prompt and accurate line count filings. SEI Data cites its original filing in September 2003, its March 2004 filing, and the immediate corrective action taken with regard to its missed December 2003 filing deadline as evidence of its commitment to submitting prompt and accurate IAS line count filings. SEI Data is not contending that FCC rules regarding line count submissions are burdensome or unreasonable. We submit, however, that the departure of the company manager responsible for these filings created special circumstances for one individual filing, causing SEI Data to inadvertently miss the December 2003 line count filing deadline.

SEI was found by the Indiana Utility Regulatory Commission to be a facilities-based provider worthy of ETC status, and that the Commission has previously found portable support for competitive ETCs to be in the public interest in that it provides incentives for investment in quality facilities and services, and assists facilities-based CLECs in recovering costs. Therefore, SEI Data submits that a waiver of the December 2003 IAS filing deadline – given the immediate corrective action taken by SEI Data – will serve the public interest by allowing SEI Data to receive full IAS support for the 1st quarter of 2004. SEI Data further submits that the IAS fund will not be adversely impacted, as the dollar amount in question is less than \$4000. But while this is not a large dollar figure for the IAS fund in general, it represents significant cost recovery for SEI Data for the competitive facilities and services in which it has invested.

We appreciate the Commission's consideration of SEI Data's waiver request, and please contact me if you need further information. Thank you.

Respectfully submitted,



Mr. Michael Leach
General Manager
SEI Data, Inc.
P.O. Box 7
Dillsboro, IN 47018
812-667-5100

CC: Ms. Marlene H. Dortch, Secretary
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Ms. Gina Spade
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